

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE TREMONT SECURITIES LAW, :  
STATE LAW AND INSURANCE :  
LITIGATION :  
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**ORDER**

09 md 2052

Master File No.:  
08 Civ. 11117 (TPG)

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This Document Relates to: State Law  
Actions 08 Civ. 11183 (TPG)  
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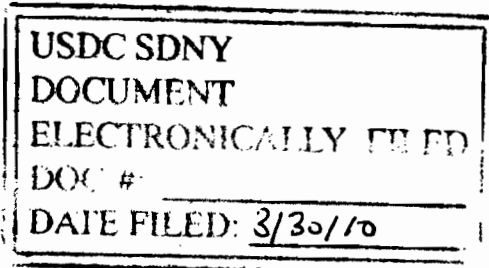
The motions to dismiss filed by the Tremont Defendants (Docket No. 146 on 08 Civ. 11117), Oppenheimer Defendants (Docket No. 127 on 08 Civ. 11117), MassMutual Defendants (Docket No. 112 on 08 Civ. 11117), and Rye Defendants (Docket No. 153 on 08 Civ. 11117) are denied as moot.

KPMG's motion to dismiss (Docket No. 120 on 08 Civ. 11117) is granted because the claims against it are subject to mandatory arbitration.

FPM and Ward's motion to dismiss for improper venue (Docket No. 210 on 08 Civ. 11117) is granted due to the existence of a valid, mandatory forum-selection clause making jurisdiction in the state of Washington exclusive.

SO ORDERED.

Dated: New York, New York  
March 29, 2010



Thomas P. Griesa  
U.S.D.J.